

Message Text

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ACTION EUR-25

INFO OCT-01 ISO-00 SAJ-01 CIAE-00 DODE-00 PM-07 H-03

INR-11 L-03 NSAE-00 NSC-07 PA-04 RSC-01 PRS-01 SP-03

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FM USMISSION BERLIN

TO SECSTATE WASHDC 4042

INFO AMEMBASSY BONN

AMEMBASSY LONDON

AMEMBASSY MOSCOW

AMEMBASSY PARIS

USMISSION NATO

USCINCEUR FOR POLAD AND OPS

CINCUSAREUR FOR POLAD OPS AND AEAGG-COC

CINCUSAFE FOR POLAD AND OPS

USELMLO

C O N F I D E N T I A L BERLIN 1687

E.O. 11652: GDS

TAGS: PGOV, MOPS, WB, GE, UR

SUBJECT: SOME REFLECTIONS ON MEDLEY CASE

1. SPECIALIST (NOW PRIVATE) MEDLEY LEFT BERLIN MORNING
SEPTEMBER 22 AFTER FORFEITING \$300 IN PAY AND BEING
REDUCED IN RANK ADMINISTRATIVELY THROUGH ARTICLE 15 OF
UNIFORM CODE OF MILITARY JUSTICE. THERE ARE A NUMBER OF
UNANSWERED QUESTIONS, BUT IT IS CLEAR FROM HIS STATEMENT
AS WELL AS FROM DOCUMENTATION PROVIDED BY SOVIETS THAT
HE ATTEMPTED TO TAKE GERMAN COUPLE OUT OF EAST BERLIN IN
TRUNK OF HIS CAR AT DIRECTION OF GERMAN EXFILTRATION
RING FOR PAYMENT OF DM 4,000. CERTAIN DETAILS OF
OPERATION SUGGEST THAT GDR WAS AWARE OF OPERATION FROM
EARLY STAGES AND MAY WELL HAVE SOUGHT TO ENTRAP US
SERVICEMAN IN ORDER TO MAKE POINT ABOUT DANGERS OF
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EXFILTRATION-- IN WHICH CASE MESSAGE COULD BE INTENDED

FOR DOMESTIC GDR OR US CONSUMPTION, OR BOTH.

2. SILVER LINING IN AFFAIR WAS SOVIET ASSUMPTION OF RESPONSIBILITY TO ALLIES FOR MEDLEY FROM TIME OF HIS DETENTION TO RELEASE. IT MAY BE THAT THIS REPRESENTED RECOGNITION ON THEIR PART THAT IF THEY WERE TO PURSUE THEIR TACTIC OF ATTEMPTING TO ASSERT FORTH-POWER ROLE IN WESTERN SECTORS THEY NEEDED TO FULFILL CERTAIN MINIMAL RESPONSIBILITIES IN EAST BERLIN. IT IS PROBABLY ALSO TRUE THAT MANNER IN WHICH ANY INCIDENT IS SETTLED WILL CONTINUE TO DEPEND HEAVILY UPON OVER-ALL CLIMATE OF US-SOVIET RELATIONS AND WHETHER SOVIETS CHOOSE AT TIME TO ENGAGE IN ANY BARGAINING. IN THIS INSTANCE SOVIETS WERE RELATIVELY FORTHCOMING, AT LEAST BY STANDARDS OF KAPPEL CASE, INFLUENCED PERHAPS, BY KNOWLEDGE THAT MEDLEY PLAYED HIS ROLE BY WALKING INTO TRAP. SOVIETS NEVERTHELESS DID HOLD MEDLEY FOR SEVEN DAYS--ALTHOUGH THEY INTIMATED EARLY RELEASE AFTER TWO--AND RELEASED HIM ONLY AFTER DESPATCH OF LETTER FROM US AMBASSADOR, AT WHICH JUNCTURE HE MAY HAVE BECOME TOO HOT TO CONTINUE TO HOLD.

3. WHATEVER MOTIVES GDR MAY HAVE HAD IN REGARD TO INCIDENT, THERE MUST HAVE BEEN ELEMENT OF CHAGRIN IN SEEING SOVIETS HANDLE AFFAIR AFTER INITIAL STAGES PURELY AS BILATERAL MATTER BETWEEN OCCUPYING POWERS. SUBSTANTIAL PUBLICITY GIVEN CASE IN "NEUES DEUTSCHLAND" MAY HAVE BEEN INTENDED TO CONVEY MESSAGE TO OTHER WOULD-BE EXFILTRATEES, BUT AS NOTED BERLIN 1652, IT ALSO SEEMED TO REFLECT NEED TO PUBLICIZE AS MUCH OF A GDR VOICE IN AFFAIR AS FACTS WOULD PERMIT.

4. INVESTIGATION CONDUCTED BY ARMY PRIOR TO ADMINISTRATION OF PUNISHMENT TO MEDLEY HAS NOT YET REVEALED ANY OTHER US FORCES INVOLVEMENT. THERE REMAIN SUSPICIONS, HOWEVER, THAT MEDLEY MAY HAVE EXPECTED HELP IN GETTING THROUGH US SIDE OF CHECKPOINT CHARLIE WITHOUGH DETECTION OF HIS SPECIAL PASSENGERS. GIVEN ENTERPRISING SPIRIT OF AMERICAN G.I. AND MATERIAL INDUCEMENTS OFFERED BY GERMAN RINGS, WE KNOW WE CAN NEVER DEVISE FOOLPROOF PROTECTION AGAINST INVOLVEMENT OF US

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FORCES IN EXFILTRATION FOR HIRE. SUCH MISUSE OF OUR SPECIAL ACCESS RIGHTS FOR PERSONL PROFIT REMAINS A SERIOUS PROBLEM, HOWEVER, AND A POTENTIAL FLASHPOINT FOR US-GDR OR US-SOVIET RELATIONS AT SUCH TIME AS OTHER SIDE WISHES TO MAKE REAL ISSUE OF IT. OVER PAST TWO YEARS CONTROLS AND PROCEDURES TO PREVENT US FORCES INVOLVEMENT IN EXFILTRATION HAVE BEEN TIGHTENED FROM TIME TO TIME, AND REVIEW TO THIS END IS AGAIN IN PROCESS.

5. ANOTHER UNANSWERED QUESTION IS ROLE OF KAY MIERENDORFF, WHO FORMERLY WAS MAJOR RECRUITER OF FORCES PERSONNEL FOR EXFILTRATION ACTIVITIES (BERLIN 1566, SEPTEMBER 10, 1973). SOVIETS AND EAST GERMANS ALLEGE HE RUNGS RING THAT HIRED MEDLEY. SEVERAL RECENT EVENTS, INCLUDING SENTENCING BY GDR OF HIS BROTHER OLIVER TO TWELVE YEARS' IMPRISONMENT FOR EXFILTRATION, SUGGEST HE MAY WELL AGAIN BE ACTIVE IN BERLIN, IN TOUCH WITH AMERICANS AND PERHAPS PREPARED TO PERFORM SOME SERVICES FOR EAST GERMANS.

6. FINAL UNANSWERED QUESTION INVOLVES RELATIONSHIP, IF ANY, OF INCIDENT TO ESTABLISHMENT OF DIPLOMATIC RELATIONS WITH GDR. WE HAVE ASSUMED THAT IF GDR INTENDED TO SEEK TO CHIP AWAY AT US ACCESS RIGHTS IT WOULD NOT DO SO UNTIL EMBASSY FIRMLY IN PLACE. IF INCIDENT WAS ENTRAPMENT, GDR MAY HAVE FELT IT WAS APPROPRIATE TO FLASH MESSAGE TO US AT EARLY STAGE. WE WOULD NOT BE CONFIDENT THAT ANOTHER INCIDENT, ONCE EMBASSY IS IN PLACE, WOULD BE RESOLVED QUITE SO SMOOTHLY.

7. USCOB CONCURS.KLEIN

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